



1 FW 1638 #

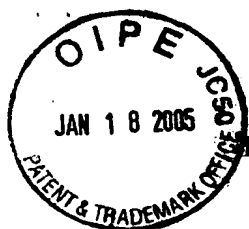
TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number 09/766,348	
		Filing Date January 19, 2001	
		First Named Inventor Qiu et al.	
		Group Art Unit 1638	
		Examiner Name A. Kubelik	
Total Number of Pages in This Submission	18 pages and 10 cited references	Attorney Docket Number 19603/2986 (CRF D-1940B)	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (\$180.00) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> A check in the amount of \$180.00 <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 (1 page) (in duplicate) Copy of European Search Report 10 cited references
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Andrew K. Gonsalves Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1658 Fax: (585) 263-1600
Signature	 Registration No. 48,145
Date	January 14, 2005

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PATENT
Docket No.: 19603/2986 (CRF D-1940B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Qiu et al.

Serial No. : 09/766,348

Cnfrm. No. : 7683

Filed : January 19, 2001

For : HYPERSENSITIVE RESPONSE INDUCED
RESISTANCE IN PLANTS BY SEED
TREATMENT

Examiner:

A. Kubelik

Art Unit:

1638

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97-1.98**

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Dear Sir:

In compliance with 37 C.F.R. §§ 1.97 and 1.98, applicants hereby bring to the attention of the U.S. Patent and Trademark Office the enclosed references listed on the attached PTO-1449 form.

The information disclosed in this Information Disclosure Statement was cited in the Supplementary European Search Report for the corresponding European patent application not more than three months prior to the filing of this statement. A copy of the Supplementary European Search Report (dated December 13, 2004) is enclosed.

Pursuant to 37 CFR § 1.97(d), applicants hereby submit that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this paper. Further, pursuant to 37 CFR §§ 1.97(d) and 1.17(p), enclosed is a check for \$180.00 to cover the required filing fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 14-1138.

01/21/2005 LWONDIH1 00000043 09766348

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Date: January 14, 2005 180.00 DP

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Respectfully submitted,

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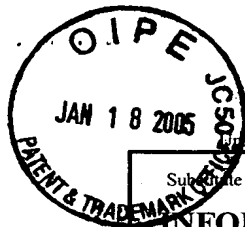
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/766,348
				Filing Date	January 19, 2001
				First Named Inventor	Qiu et al.
				Art Unit	1638
				Examiner Name	A. Kubelik
Sheet	1	of	1	Attorney Docket Number	19603/2986 (CRF D-1940B)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS							
Examiner Initials [*]	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	1	WO	91/15585	10/17/1991	Rijkslandbouwniversiteit Wageningen		
	2	WO	93/19079	09/30/1993	Washington State University Research Foundation		
	3	WO	94/29464	12/22/1994	Sandoz Ltd.		
	4	WO	95/31564	11/23/1995	The Gatsby Charitable Foundation		
	5	WO	95/35371	12/28/1995	Yoshikawa, Kuniko		
	6	WO	96/22016	07/25/1996	Rutgers, The State University of New Jersey		
	7	WO	96/28561	09/19/1996	Maxplanck-Gesellschaft Zur Förderung Der Wissenschaften E.V.		
	8	WO	96/35790	11/14/1996	John Innes Centre Innovations Limited		
	9	WO	97/22242	06/26/1997	Kirin Beer Kabushiki Kaisha		
	10	WO	97/45547	12/04/1997	Maxplanck-Gesellschaft Zur Förderung Der Wissenschaften E.V.		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ⁴	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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